UNITED
NATIONS

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Secretariat

ST/SGB/273
7 September 1994

SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: Establishment of the Office of Internal Oversight Services

I. MANDATE

1. Following the decision of the General Assembly in paragraph 4 of its resolution 48/218 B of 29 July 1994, the Office of Internal Oversight Services (OIOS) is established as of the date of the present Bulletin. The Office shall assume the functions prescribed for the Office for Inspections and Investigations, as described in the Secretary-General's note A/48/640, and amended by resolution 48/218 B, subject to the modalities defined in the resolution and to the provisions of the present bulletin. 1/ The purpose of this Office, the head of which will be at the Under-Secretary-General rank, is to assist the Secretary-General in fulfilling his internal oversight responsibilities through the exercise of its functions as spelled out in paragraphs 10-24 below. The responsibilities of the Office shall extend to the resources and staff of the Organization, which includes separately administered organs.

II. MODE OF OPERATION

2. The Office of Internal Oversight Services shall exercise operational independence under the authority of the Secretary-General in the conduct of its duties and, in accordance with Article 97 of the Charter of the United Nations, have the authority to initiate, carry out and report on any action which it considers necessary to fulfil its responsibilities with regard to monitoring, internal audit, inspection, evaluation and investigations.

3. The Office may accept requests for its services from the Secretary-General, but the Office may not be prohibited from carrying out any action within the purview of its mandate.

4. The Office shall initiate and carry out investigations and otherwise discharge its responsibilities without any hindrance or need for prior

clearance. The staff of the Office shall have the right to direct and prompt access to all persons engaged in activities under the authority of the Organization, and shall receive their full cooperation. Additionally, they shall have the right of access to all records, documents or other materials, assets and premises and to obtain such information and explanations as they consider necessary to fulfil their responsibilities. The Under-Secretary-General for Internal Oversight Services shall have the authority to demand compliance from programme managers concerned if information or assistance requested is refused, delayed or withheld.

5. With a view to providing as comprehensive an approach as possible and to minimizing duplication of efforts, the Office shall coordinate its activities with the Board of Auditors of the United Nations, the Panel of External Auditors and the Joint Inspection Unit. It shall maintain a close working relationship with other inspection and internal audit services in the United Nations system.

6. In fulfilling its responsibilities in respect of separately administered organs, the Office shall develop mechanisms for enhancing internal oversight, as provided in paragraph 11 of General Assembly resolution 48/218 B. In exercising its functions in respect of separately administered organs, the Office shall take into account, as appropriate, the pertinent regulations, rules and administrative issuances of such separately administered organs.

III. APPOINTMENT

7. The Office shall be headed by an Under-Secretary-General who shall be appointed in accordance with the provisions of General Assembly resolution 48/218 B.

8. The Under-Secretary-General for Internal Oversight Services shall serve for one fixed term of five years without possibility of renewal.

9. The Under-Secretary-General for Internal Oversight Services may be removed by the Secretary-General only for cause and with the approval of the General Assembly.

IV. FUNCTIONS

10. The purpose of the Office is to assist the Secretary-General in fulfilling his internal oversight responsibilities in respect of the resources and staff of the Organization through the exercise of the following functions:

A. Monitoring

11. The Office shall assist the Secretary-General in implementing the provisions of article V of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring and Implementation and the Methods of Evaluation on monitoring of programme implementation.

12. The Office shall also ensure that monitoring and self-evaluation are viewed as an integral part of managerial responsibility for the efficiency and effectiveness of programme performance.

B. Internal audit

13. The Office shall, in accordance with the relevant provisions of the Financial Regulations and Rules of the United Nations, examine, review and appraise the use of financial resources of the United Nations in order to guarantee the implementation of programmes and legislative mandates; ascertain compliance of programme managers with the financial and administrative regulations and rules, as well as with the approved recommendations of external oversight bodies; undertake management audits, reviews and surveys to improve the Organization's structure and responsiveness to the requirements of programmes and legislative mandates; and monitor the effectiveness of the Organization's systems of internal control.

C. Inspection and evaluation

14. The Office shall evaluate the efficiency and effectiveness of the implementation of the Organization's programmes and legislative mandates. It shall conduct programme evaluations with the purpose of establishing analytical and critical evaluations of the implementation of programmes and legislative mandates, examining whether changes therein require review of the methods of delivery, the continued relevance of administrative procedures and whether the activities correspond to the mandates as they may be reflected in the approved budgets and the medium-term plan of the Organization.

15. The above shall be done on a regular basis. In addition, the Office shall conduct ad hoc inspections of programme and organizational units whenever there are sufficient reasons to believe that programme oversight is ineffective and that the potential for the non-attainment of the objectives and the waste of resources is great, and otherwise as the Under-Secretary-General for Internal Oversight Services deems appropriate. These inspections shall recommend to management corrective measures and adjustments as appropriate.

D. Investigation

16. The Office shall investigate reports of violations of United Nations regulations, rules and pertinent administrative issuances and transmit to the Secretary-General the results of such investigations together with appropriate recommendations to guide the Secretary-General in deciding on jurisdictional or disciplinary action to be taken.

17. Activities of the Office in the area of investigation shall also focus on assessing the potential within programme areas for fraud and other violations through the analysis of systems of control in high-risk operations as well as offices away from headquarters. On the basis of this analysis, recommendations

shall be made for corrective action to minimize the risk of commission of such violations.

18. The Office may receive and investigate reports from staff and other persons engaged in activities under the authority of the Organization suggesting improvements in programme delivery and reporting perceived cases of possible violations of rules or regulations, mismanagement, misconduct, waste of resources or abuse of authority. For this purpose, the procedures described below are put in place, under which staff members and others can make directly to the Office suggestions and reports which shall be received and handled in complete confidence. Further arrangements for reporting of the inappropriate use of United Nations resources and improvement of programme delivery, as appended to the present bulletin, are hereby approved and will be issued as an administrative instruction. These procedures and related arrangements are designed to protect individual rights, the anonymity of staff and others, due process for all parties concerned and fairness during any investigation, as well as to protect against reprisals.

(a) Investigations shall respect the individual rights of staff members and be conducted with strict regard for fairness and due process for all concerned following the staff and financial regulations, rules and administrative instructions;

(b) The Under-Secretary-General for Internal Oversight Services shall designate the officials authorized to receive such suggestions and reports. The designated officials shall be responsible for safeguarding the said suggestions and reports from accidental, negligent or wilful disclosure, as well as for ensuring that the identity of the staff members and others who have submitted such reports to the Office is not disclosed, except as otherwise provided in the present bulletin. Unauthorized disclosure of the said suggestions and reports shall constitute misconduct, for which disciplinary measures may be imposed. Except in regard to subparagraph (e) below, the identity of staff members and others submitting suggestions and reports to the Office may be disclosed only where such disclosure is necessary for the conduct of proceedings, whether administrative, disciplinary or judicial, and only with their consent;

(c) The above procedures and requirements for the protection of the identity of staff and others making suggestions and reports shall also apply to staff and others who provide information to or otherwise cooperate with the Office;

(d) Confidential suggestions and/or reports may be used in official reports, without attribution directly or indirectly as to source or identity of the individuals involved or implicated;

(e) The transmittal of suggestions or reports to the Office with knowledge of their falsity or with wilful disregard of their truth or falsity shall constitute misconduct, for which disciplinary measures may be imposed;

(f) No action may be taken against staff or others as a reprisal for making a report or disclosing information to, or otherwise cooperating with, the Office. Disciplinary proceedings shall be initiated and disciplinary action

shall be taken in respect of any staff member who is proven to have retaliated against a staff member or other person who has submitted suggestions or reports to the Office or otherwise cooperated with the Office.

E. Implementation of recommendations

19. Following the completion of any audits, inspections and investigations undertaken by the Office pursuant to its mandate, the Office shall submit the reports on such work to the programme managers concerned in accordance with the procedures for transmittal, approval of recommendations and the resolution of disputes provided for in the present Bulletin.

20. The programme managers concerned shall have an opportunity to consider, evaluate and respond to such reports on a timely basis as determined by the Office. A request for review or an extension of deadline, when programme managers encounter undue difficulties, shall be forwarded to the Office for decision.

21. The Under-Secretary-General for Internal Oversight Services shall report to the Secretary-General for final decision those recommendations with which the programme managers concerned do not agree. Copies of all reports submitted to the programme managers shall also be provided to the Board of Auditors and to the Under-Secretary-General responsible for the programme area concerned along with management responses.

22. The programme managers shall ensure prompt compliance with final recommendations and report to the Office, on a quarterly basis, on the status of implementation. In carrying out his responsibilities, the Under-Secretary-General responsible for the programme area shall monitor implementation of corrective action by programme managers.

23. The Office shall report to the Secretary-General as and when necessary, but at least twice yearly on the implementation of the recommendations addressed to the programme managers in accordance with procedures referred to above.

24. The Under-Secretary-General for Internal Oversight Services shall also inform the Secretary-General from time to time on any matters which he considers should be brought to the Secretary-General's attention.

V. SUPPORT AND ADVICE TO MANAGEMENT

25. The Office may advise programme managers on the effective discharge of their responsibilities, provide assistance to programme managers in implementing recommendations, ascertain that programme managers are given methodological support and encourage self-evaluation.

VI. REPORTING

A. Reports on the effective utilization of resources

26. The Office shall submit to the Secretary-General reports that provide insight into the effective utilization and management of resources and the protection of assets. All such reports shall be made available to the General Assembly, as presented by the Office, together with such comments as the Secretary-General may deem appropriate.

B. Annual report to the Secretary-General for transmittal to the General Assembly

27. The Office shall also submit to the Secretary-General for transmittal as received to the General Assembly, together with separate comments the Secretary-General deems appropriate, an annual analytical and summary report on its activities for the year.

28. The annual report shall include the following:

(a) A description of significant problems, abuses and deficiencies relating to the administration of a programme or operation disclosed during the period;

(b) A description of all final recommendations for corrective action made by the Office during the reporting period relative to the significant problems, abuses or deficiencies identified;

(c) A description of all recommendations which were not approved by the Secretary-General, together with his reasons for not doing so;

(d) An identification of each significant recommendation in previous reports on which corrective action has not been completed;

(e) A description and explanation of the reasons for any significant revised management decision made during the reporting period;

(f) Information concerning any significant management decision with which the Office is in disagreement;

(g) A summary of any instance where information or assistance requested by the Office was refused;

(h) Where applicable, the value of any cost savings or recovered amounts resulting from recommendations and corrective action.

In addition, the Under-Secretary-General for Internal Oversight Services shall comment on the scope of his activities and the adequacy of resources for the purpose intended.

C. Additional distribution of reports

29. The Board of Auditors and the Joint Inspection Unit shall be provided with copies of all final reports produced by the Office as well as the comments of the Secretary-General on these reports and shall be invited to provide the General Assembly with their comments as appropriate.

VII. BUDGET AND PERSONNEL

30. In presenting to the General Assembly, in accordance with established regulations and rules, the programme budget proposals for the Office, the Secretary-General shall take into account the need to ensure its operational independence and the appropriation of resources for the effective functioning of the Office. To that effect, the Secretary-General shall ensure that the resources requested for the effective operation of the Office are included in the biennial proposed programme budget of the Organization and separately identified in a separate section of the programme budget, reflecting a separate and distinct programme in the medium-term plan.

31. The Under-Secretary-General for Internal Oversight Services shall be mindful of the fact that certain of the activities of the Office will have a call on resources other than those appropriated under the regular budget. Accordingly, the biennial programme budget for Internal Oversight Services shall set forth the requirements for both regular budget and other sources of funds.

32. The Under-Secretary-General for Internal Oversight Services shall have delegated certifying authority for all the accounts of the Office.

33. The Under-Secretary-General for Internal Oversight Services shall, in accordance with the Staff Regulations and Rules of the United Nations, develop an appropriate office organizational structure, staffing table and related job descriptions including professional qualifications of staff.

34. In keeping with the need for operational independence, the Under-Secretary-General shall, through appropriate arrangements of delegation of authority, exercise the degree of latitude and control over the personnel and resources of the Office, consistent with the Staff Regulations and Rules of the United Nations and the Financial Regulations and Rules of the United Nations, that is necessary to achieve the objectives of the Office.

35. With respect to the staff of the Office, the Under-Secretary-General for Internal Oversight Services shall have powers of appointment, promotion and termination similar to those delegated by the Secretary-General to the heads of programmes, funds or subsidiary organs enjoying special status in these matters. Contracts of staff appointed by the Under-Secretary-General shall be limited to service with the Office. Staff holding regular United Nations appointments who are selected to serve with the Office shall retain their current status and their acquired rights under the Staff Regulations and Rules of the United Nations.

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36. Bulletins ST/SGB/262 of 24 August 1993 and ST/SGB/268 of 23 November 1993 are hereby superseded.

Boutros BOUTROS-GHALI
Secretary-General

Notes

1/ The text in paras. 2, 7, 8-11, 13, 14, 16, 19, 23, 25-27 and 29 is reproduced from General Assembly resolution 48/218 B, whereas the remaining text represents additional provisions approved by the Secretary-General in order to implement the resolution.

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Secretariat

ST/SGB/274
28 September 1994

SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: PROCEDURES AND TERMS OF REFERENCE OF THE STAFF MANAGEMENT CONSULTATION MACHINERY AT THE DEPARTMENTAL OR OFFICE LEVEL*

1. The present bulletin is issued in order to reiterate the importance of staff-management consultation procedures at the departmental or office level, so that topics of particular concern to an organizational unit may be resolved expeditiously, without necessarily being referred to the Joint Advisory Committee. It provides guidelines on the procedures and terms of reference of the staff management consultation machinery at the departmental or office level. Secretary-General's bulletin ST/SGB/206 is hereby superseded.

2. Heads of departments and offices will hold quarterly meetings with the appropriate unit representatives on matters of mutual concern. In addition to such regular meetings, meetings may be called at 48 hours' notice at the request of either side. Failure to hold regular meetings should be brought to the attention of the Chairperson(s) of the Joint Advisory Committee.

3. The following officials will participate in these meetings on behalf of the administration:

(a) The head of the department or office or, in his or her absence, the officer-in-charge;

(b) The executive or administrative officer;

(c) The personnel officer in charge of the office or department;

(d) The directors of divisions and chiefs of service, as appropriate.

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* Personnel Manual index No. 8031.

The participants representing the staff shall be the staff representatives of the unit or units concerned. The head of the department or office or, in his or her absence, the officer-in-charge, shall act as ex officio chairman of the meetings.

4. The issues subject to consultations at the departmental or office level shall, in particular, relate to the following:

(a) Matters affecting staff welfare, working conditions and efficiency and the identification of ways and means of improving them within the framework of the established regulations, rules and policies;

(b) The direct application of the Staff Rules under the authority delegated by the Secretary-General to heads of departments or offices, including the implementation at the departmental or office level of policies and recommendations approved by the Secretary-General bearing on the welfare of the staff;

(c) Problems and crises that may arise within the department or office with a view to solving them at that level.

5. While it is not possible to provide an exhaustive list of issues that should be subject to consultations at the departmental or office level, the guidelines indicated below should be followed to determine whether an issue should be subject to such consultations:

(a) The issue or policy should affect the entire department or office or at least a significant number of staff in a particular unit or service of the department or office. Individual cases as such should not normally be subject to consultation. However, if an individual case entails issues requiring clarification of policies or procedures, the matter can be raised at the departmental or office level, provided that it has been already discussed at the appropriate level;

(b) The mechanism of consultations at the departmental or office level is designed to ensure that matters concerning staff welfare are discussed in the first instance at the departmental or office level;

(c) In cases where managerial decisions are taken that may have substantial implications for the careers, welfare and working conditions of the staff in the department or office, the staff affected should be informed of any such changes in advance and provide an opportunity for consultation on such matters at the departmental or office level.

6. A brief report of each meeting indicating the topics discussed and the decisions taken shall be forwarded to the supervisors concerned for the implementation and to the chairperson(s) of the Joint Advisory Committee. Copies should also be sent for follow-up action to the Assistant Secretary-General for Human Resources Management and, as appropriate, to the Controller and/or Assistant Secretary-General of Conference and Support Services, depending on the subject-matter.

7. Staff members serving as representatives on the Staff Council will be allowed reasonable time off during working hours to carry out their representational responsibilities subject to the exigencies of service, and should be helped and encouraged in every way to discharge those responsibilities effectively. Those responsibilities, which shall be considered official under the Staff Regulations and Rules, shall include attendance at meetings duly authorized by the recognized staff representative bodies, consultations with supervisors on any changes in working conditions of the unit concerned, referral of problems of staff welfare to the appropriate staff-management body for further discussion, as well as assisting individual staff members, where requested, on matters falling within the terms of reference outlined in paragraph 4 above.

8. Any differences arising over interpretation of the provisions of the present bulletin should be brought to the attention of the Under-Secretary-General for Administration and Management through the Joint Advisory Committee.

9. Staff-management bodies at duty stations away from Headquarters are encouraged to implement similar procedures.

Boutros BOUTROS-GHALI
Secretary-General